

REMARKS

This is in response to the Office Action mailed on September 13, 2004, and the references cited therewith.

Claims 9 and 22 are amended; as a result, claims 1, 14, 27 and 28 are allowed and claims 9 and 22 are now pending in this application.

§112 Rejection of the Claims

Claims 9 and 22 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 9 and 22 have been amended to particularly point out and distinctly claim the subject matter.

Allowable Subject Matter

Claims 1, 14, 27 and 28 are allowed.

Conclusion

Applicants respectfully submit that all claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (408) 846-8871 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

KEVIN GARCIA ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH,


P.A.

P.O. Box 2938
Minneapolis, MN 55402

Date

12/13/2004

By


Andre L. Marais
Reg. No. 48,095

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13th day of December, 2004.

Dawn R. Shaw

Name

Signature

